

Subchapter Seven: Regulating Signs

4.07.010 Purpose.

(a) The Town of Colma enacts this subchapter regulating signs to preserve the character of Colma as a city of memorial parks and cemeteries, to preserve the Town's scenic corridors, to safeguard and enhance property values in the Town's "G," "R," "C," "P," "E," and "PD," zones, to reduce visual clutter, to protect the Town's natural beauty, to encourage sound planning practices, to ensure the tranquility and peace of mind of visitors to Colma's cemeteries, and to preserve and enhance the aesthetic, traffic safety and environmental values of the Town.

(b) At the same time, it is the Town's intent to provide for channels of communication to the public and to regulate on the basis of characteristic and proportion of signage.

(c) The Town finds as to commercial signage that it is in the interest of both aesthetics and traffic safety that sign information is kept to a minimum. The use of subordinate information in commercial signage, such as telephone numbers, lists of products, pictures of products, etc., is discouraged, but may be permitted. Where subordinate information exists on commercial signage, the name or use of the business shall be the dominant message on the sign. Subordinate information on commercial signage which presents as a traffic hazard will not be allowed. Noncommercial signage, which rights are constitutionally broader, is permitted unless expressly prohibited within this chapter.

[History: formerly § 4.701; ORD. 365, 2/10/88; ORD. 387, 3/8/89; ORD. 560, 9/8/1999; ORD. 638, 12/14/05]

4.07.020 Special Definitions.

The following definitions shall apply to this Article.

(a) *Area of a Sign.* The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary support or uprights on which such sign is placed but including any sign tower. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

(b) *Attached to a Building.* Supported, in whole or in part, by a building.

(c) *Commercial sign* means any sign with wording, logo or other representation that directly or indirectly names, advertises or calls attention to a product or service for purchase or sale, or to any business or organization that is engaged in, or plans to engage in, the sale or purchase of a product or service.

- (n) *Non-commercial sign* means any sign that is not a commercial sign.
- (o) *Non-Illuminated Sign.* A sign which is not artificially illuminated, either directly or indirectly.
- (p) *Off-Site Sign.* A sign which directs attention to a business, commodity, industry or other activity which is sold, offered or conducted elsewhere than on the premises where the sign is located, or which is sold, offered or conducted on such premises only incidentally if at all.
- (q) *On-site Sign.* A sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted, other than incidentally, on the premises upon which such sign is located or to which it is affixed. Where a number of commodities with different brand names or symbols are sold on the premises, up to 1/3 of the area of an on-site sign, up to 25 square feet, may be devoted to the advertising of one or more of those commodities by brand name or symbol as an accessory function of the on-site sign, and provided also that any limits which may be imposed by this Code on the area of individual signs and the area of all signs on the property are not exceeded. On-site signs shall also include signs which present a non-commercial message.
- (r) *A Pole Sign.* A sign, no part of which is supported by a building. The sign support shall consist of a pole or sign tower. Regulations for pole signs shall not apply to monument signs.
- (s) *Projecting Sign.* A sign attached to a building but projecting from the exterior wall of the building so that copy is meant to be read when viewed along sight lines parallel to the wall of the building.
- (t) *Projection.* The horizontal distance by which the farthest point used in measuring the area of a sign, as defined in section 4.702(a), extends beyond a street property line or a building setback line. A sign placed flat against the wall of a building parallel to a street or alley shall not be deemed to project for purposes of this definition. A sign on an awning or canopy shall be deemed to project to the extent that such sign extends beyond a street property line or a building setback line.
- (u) *Roof Line.* The upper edge of any building wall or parapet.
- (v) *Roof Sign.* A sign extending in whole or in part beyond the roof line of a building, or erected or painted on or over the roof covering any portion of a building, whether supported on the roof or on an independent structural frame or sign tower, or located on the side or roof of a penthouse, roof tank, roof shed, elevator housing or other roof structure.
- (w) *Sale or Lease Sign.* A sign which serves only to communicate the availability for sale, lease or rental the lot or building on which it is placed, or some part thereof.
- (x) *Shopping Center.* A group of stores and shops on a single parcel or contiguous parcels of land which holds itself out as a central retail market.

- (b) No exposed conduit, tubing or raceways shall be permitted.

[History: formerly § 4.703; ORD. 365, 2/10/88; ORD. 387, 3/08/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.040 Exempted Signs.

Nothing in this Article shall apply to any of the following signs:

- (a) Official public notices, and notices posted by public officers in performance of their duties;
- (b) Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.
- (c) Flags, emblems, insignia and posters of any nation or political subdivision, and temporary displays of a patriotic, religious, charitable or other civic character;
- (d) House numbers, whether illuminated or not, "no trespassing," "no parking," and other warning signs;
- (e) Commemorative plaques;
- (f) Religious symbols attached to buildings if not projecting beyond any street property line or building setback line;
- (g) Flags indicating weather conditions, and single flags which are emblems of business firms, enterprises and other organizations.
- (h) Grave stones, crypt markers and other signs designating the final resting place of a person or animal.

[History: formerly § 4.704; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 638, 12/14/05; ORD. 649, 7/12/06; ORD. 651, 9/26/06]

4.07.050 Sign Activity for which no Permit is Required.

- (a) Signs Painted Directly on Walls or Windows in C Zones. No sign permit shall be required under this Code for a sign (i) painted or repainted directly on a door or window in a C Zone, or (ii) painted or repainted directly on a wall of a building or structure in a C Zone and not exceeding 100 square feet in area. Permits shall be required for all other painted signs in C Zones, and for all signs painted or repainted directly on a wall or window in G, R, I, P, E and PD Zones. Repainting of any painted sign shall be deemed to be a replacement of the sign, except as provided in subsection (d) below.

4.07.070 Permits for Monument Signs and Building Face Signs.

(a) No sign shall be erected, placed, replaced, moved, changed, reconstructed or relocated on any property, intensified in illumination or otherwise, or expanded in area or in any dimension except in conformity with this subchapter. To ensure compliance with this subchapter, no sign may be erected, placed, replaced, moved, changed, constructed, or relocated to any property, intensified in illumination, or otherwise, or expanded in area or any dimension until a sign permit has been granted for that sign according to the procedures and standards set forth in section 4.07.210.

(b) Each application for a sign permit shall be accompanied by a scale drawing of the sign, the project site and applicable building elevations showing the precise location of the sign, and including (except in the case of a sign the customary use of which involves frequent and periodic changes of copy) such designation of the copy as is needed to determine that the location, area and other provisions of this Code are met.

[History: formerly § 4.707 ; ORD. 387, 3/8/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.080 Permits for Existing Pole Signs and Roof Signs.

(a) In recognition of major commercial developments in the Town of Colma such as the Serra Center and the 280 Metro Center, and the need of those developments to establish themselves in the marketplace, and in order to balance those needs against Colma's aesthetic and traffic safety interests, special provisions are hereby established for existing pole signs and roof signs.

(b) No pole sign or roof sign may exist without a sign permit. Within 90 days of the effective date of the ordinance enacting this subchapter, owners of any pole sign or roof sign shall apply for a sign permit for such signs. Any pole sign or roof sign in existence on the effective date of the ordinance enacting this subchapter for which a sign permit is not timely obtained shall be considered a non-conforming use, subject to removal pursuant to section 4.07.110.

(c) Permits for pole signs and roof signs shall be good for a period of five years only.

(d) Each application for a sign permit for an existing pole sign or roof sign shall include the following:

(1) A scale drawing of the sign, the project site and applicable building elevations showing the precise location of the sign and such designation of the copy (except in the case of a sign the customary use of which involves periodic change of copy) as is needed to determine that the location, area and other provisions of this code are met.

(2) A statement containing the following information:

the Town. A decision not to renew a sign permit for a pole or roof sign shall require that the City Council make the following findings:

- (1) The sign is incompatible with the design of surrounding structures; and
- (2) The continued existence of the sign will conflict with the orderly development of the Town.

(c) The holder of the sign permit shall be advised of the City Council's intent to consider whether renewal of the permit shall be disallowed by written notification at least ten (10) days prior to the City Council hearing.

(d) If the City Council decides not to renew the sign permit, the sign shall be removed by the permit holder or the owner of the property on which the sign is located no later than March 31 next following the Council's decision. Thereafter the sign shall be deemed an illegal nuisance and may be abated as an illegal sign as provided in section 4.07.200 below.

[History: formerly § 4.710; ORD. 387, 3/8/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.110 Removal of Signs.

(a) The following on-premises signs may be declared nuisances and removed without payment of compensation to the owner:

- (1) On-premises signs which are not designed, constructed, created or intended to have a useful life of 15 years or more and which do not conform to this code;
- (2) On-premises signs which were erected without full compliance with laws in effect at the time of erection;
- (3) On-premises signs which have been abandoned; i.e., which have remained in place for a period of at least 90 days during which time they have not advertised a business, product, service, or activity conducted on the premises where they are located;
- (4) On-premises signs, more than 50 percent of which have been destroyed and which cannot be repaired in 30 days;
- (5) Any sign whose owner, outside of a change of copy, requests permission to remodel and remodels that sign, or expand or enlarge the building or land use upon which the sign is located, and the sign is affected by the construction, enlargement or remodeling, or the cost of construction, enlargement, or remodeling of the sign exceeds 50 percent of the cost of reconstruction of the building;
- (6) Any on-premises sign relocated by the owner;

(1) One on-site monument sign for each street frontage of a parcel. The monument sign may be indirectly illuminated or non-illuminated. The height of permitted monument signs shall not exceed six (6) feet, and the length shall not exceed fifteen (15) feet. Monument signs shall be located so as not to obscure sight lines for motorists, bicyclists or pedestrians;

(2) On-site signs made by the pruning and cultivation of plants and grasses;

(3) One on-site sign attached to a building, indirectly or non-illuminated, with a sign area of 100 square feet or less. On-site signs attached to buildings shall not project more than three feet, except that awning or canopy signs may extend the full length of the awning or canopy, but no further than the street property line.

(4) One on-site fascia sign limited in length to a distance equal to 25% of the width of the building face on which it is placed, and in height to twenty-four (24) inches.

(5) One identifying sign no higher than 10 feet and with an area no greater than six square feet.

(6) On-site signs, other than billboards, identifying a cemetery. Because of the special cemetery nature of the Town of Colma, said signs shall be without restrictions as to size, pole, illumination, or number, or as to devices giving times or temperatures; provided, however, that said signs shall be designed and constructed in a dignified style consistent with cemetery use, pursuant to design review and approval by the Planning Department of the Town of Colma.

(b) Subject to the exemptions set forth in section 4.07.040, the following signs shall be prohibited in the G Zone:

(1) Off-site signs;

(2) Roof signs;

(3) Wind signs or any sign with a moving, rotating, or otherwise animated part, or any flashing, blinking, fluctuating or other animated light; and

(4) Pole signs.

[History: formerly § 4.7.12; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 400, 08/09/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.130 Signs in the R Zone.

(a) The following signs, subject to the sign permit, may be allowed for conditionally permitted uses in the R Zone:

(1) No fascia sign or other sign attached to a building shall extend or be located above the roof-line of the building to which it is attached.

(2) Pole signs. The maximum height for pole signs shall be 36 feet. No single pole sign may have a sign area greater than 300 square feet.

(g) Total Sign Area.

(1) The total area of all signs on a single parcel shall not exceed 2 square feet for each linear foot of street frontage.

(2) Properties with multiple frontages shall calculate signage separately for each frontage.

(3) The overall length of a fascia sign shall not exceed 75% of the width of the building wall on which it is attached. The height of fascia signs shall not exceed 36 inches for buildings up to 10,000 square feet, or 48 inches for buildings larger than 10,000 square feet.

(4) Under canopy signs may be any shape but may not exceed three feet in length or eighteen inches in height.

(h) *Monument Signs.* Monument signs shall not be taller than six feet, and shall not be longer than 15 feet. Monument signs shall be placed so as to not obstruct sight lines for motorists, pedestrians or bicyclists.

(i) *Number of Signs.* No parcel shall have more than one pole sign or more than one monument sign; provided, however, that an automobile dealership having more than one distinct franchise on a single parcel shall be entitled to one free-standing sign and one monument sign for each such distinct franchise, subject to the further condition that pole signs on the same parcel be at least 75 feet apart.

(j) *Special Standards for Automobile Service Stations.* For automobile service stations, only the following signs may be permitted, subject to the standards in this subsection (j) and to all other standards in this section 4.07.140.

(1) A maximum of two oil-company signs, which shall not extend above the roof-line if attached to a building, or exceed the maximum height permitted for pole signs in the C zone if freestanding. The total area of any such signs shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project beyond any street property line or building setback line. The areas of other permanent and temporary signs as covered in paragraph (2) below shall not be included in the calculation of the areas specified in this paragraph

Balloon means any object enlarged or inflated by less than five cubic feet of air or gases.

Banner, means any sign constructed of fabric or sheeting that is mounted between two poles or attached to a structure by two or more edges and intended to be displayed for a limited time (less than 60 consecutive days).

Bunting means any woven fabric in single or multiple colors used for decoration.

Changeable means any sign, banner, bunting or inflatable that is used for a short term sales promotion and not intended for permanent display.

Flag String means a series of cut pieces of cloth, plastic or other material strung together and mounted between two poles or attached to a structure by two or more edges and intended to be displayed for a limited time (less than 60 consecutive days).

Inflatable means any shaped object enlarged or inflated by more than five cubic feet of air or gases.

Master Sign Program means a plan indicating the location, size and type of signs for an entire property or series of properties.

Outdoor decorations means, pennants, banners, streamers, ribbons or similar displays used to create a festive atmosphere.

Prominent Display Vehicles means vehicles positioned on platforms, scissor ramps, in a showroom or area of high street visibility in order to attract customers.

Temporary signage means any sign, banner, bunting, balloon, or outdoor decoration to be displayed for a period of three days or less.

Vehicle Price Sign means any sign painted or affixed to the inside or outside of window of a vehicle advertising the price or features only.

Window Sign means any sign painted or affixed to the inside or outside of a building window.

(4) The following General Provisions shall apply to all promotional devices allowed in the Colma Auto Sales District.

(A) All non-rigid items shall be maintained in a safe, taught condition at all times. It is the responsibility of the applicant to assure that the pole, or

- (iv) Bunting or flags shall be replaced after six months use to avoid a faded or wind tattered appearance. Any faded or damaged bunting or flags shall be removed immediately.
- (I) Changeable Antennae sleeve flags placed on the antennas of vehicles parked in the sales lot are allowed. Antennae sleeve flags must be of a uniform color and design and placed only on the prominent display vehicles, not to exceed one third of the total outdoor inventory on the lot.
- (J) Changeable Banners and Flag Strings made of non-rigid material are allowed. Signs made of rigid material that are attached to poles or the building is considered permanent signage and are subject to approval by the Planning Department. Changeable banners should meet the following standards:
 - (i) The total number of banners displayed by a dealership at any given time shall be limited to no more than three.
 - (ii) Flag strings should be mounted at least eight feet above grade to avoid vandalism and pedestrian conflicts and no higher than 20' in order to avoid conflicts with pole signs. Flag strings shall be replaced after six months use to avoid a faded or wind tattered appearance.
- (K) Inflatables are permitted on a limited basis. Inflatables should meet the following standards:
 - (i) Inflatables may only be displayed for a period not to exceed sixty days per calendar year.
 - (ii) The total number of inflatables displayed by a dealership at any given time shall be limited to one.
 - (iii) Inflatables are allowed to be ground mounted so long as they to not block any required parking, access aisles or required fire lanes.
 - (iv) Inflatables are allowed to be roof mounted provided that the top of the inflatable does not exceed the maximum height in the Commercial Zone of 40' above grade, as measured from the grade directly below the inflatable and the top of the inflatable.
- (L) Temporary Outdoor decorations are allowed. Balloons, pennants, streamers or similar outdoor decorations may be displayed only for a period of three days per calendar month per type of decoration.
- (M) Vehicle Price Signs are permitted.

(C) Wind signs; and

(D) Pole signs.

[*History:* formerly § 4.716; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.170 Signs in the PD Zone.

No off-site, roof, wind or pole signs shall be permitted in the PD Zones. In considering an application for a sign permit in a PD Zone, the City Planner shall take into account the nature of the property and its use and the restrictions of this Code for signs in districts zoned for similar use.

[*History:* formerly § 4.717; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.180 Near Freeways.

Subject to the restrictions imposed by the Outdoor Advertising Act (Business and Professions Code sections 5200_5486) on signs within 660 feet of the right-of-way of Intersection 280, no off-site sign, and no other sign exceeding 200 square feet in area, shall be located after the date of determination and designation of the route of a freeway so that it is primarily to be viewed by persons traveling on any portion of such freeway. On-site signs not exceeding 200 square feet in area which are permitted by this section and are primarily to be viewed by persons traveling on any portion of a freeway shall, regardless of any other provision of this code, be limited to signs which designate the name of the owner or occupant of the premises upon which the sign is placed, or which identify such premises, or which direct attention to activities conducted, goods manufactured or produced, or services rendered, on the property upon which the sign is placed.

[*History:* formerly § 4.718; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

4.07.190 Near Rapid Transit Routes.

No sign exceeding 200 square feet in area, shall be located after the date of determination and designation of the route, or portion thereof, of the Bay Area Rapid Transit District or other rapid transit line, wherever such route or portion thereof is other than underground, so that the sign is primarily to be viewed by persons traveling on any such route or portion thereof.

[*History:* formerly § 4.719; ORD. 365, 2/10/88; ORD. 387, 03/08/89; ORD. 466, 5/11/94; ORD. 638, 12/14/05]

block number according to the county assessment map, and by its street address, if known. Any number of parcels may be included in one resolution.

(e) At least 10 days before adoption of the resolution, the city clerk shall send written notice to all assessed owners of the property described in the resolution, as shown by the last equalized assessment roll. The notice shall state the date, time, and place of the hearing and generally describe the purpose of the hearing and the nature of the illegality of the display.

(f) After adoption of the resolution declaring the illegal display a nuisance, the enforcement officer shall cause notice of the resolution and of an opportunity to lodge objections to be conspicuously posted on or in front of the property on which the display exists. The posted notice shall be substantially in the following form:

NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY

Notice is hereby given that on the ____ day of _____, 19__, the City Council of the Town of Colma adopted a resolution declaring that an illegal advertising display is located upon or in front of this property which constitutes a public nuisance and must be abated by the removal of the illegal display. Otherwise, it will be removed, and the nuisance abated by the City. The cost of removal will be assessed upon the property from or in front of which the display is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for further particulars. A copy of this resolution is on file in the office of the City Clerk.

All property owners having any objection to the proposed removal of the display are hereby notified to attend a meeting of the Town of Colma to be held on the ____ day of _____, ____ at the hour of 7:30 p.m., City Council Chambers, 1198 El Camino Real, Colma, California, when their objections will be heard and given due consideration.

Dated this ____ day of _____, 19__.

City Clerk
Town of Colma

This notice shall be posted at least 10 days before the date for hearing objections. The City Clerk shall also mail this notice 10 days before the hearing of objections to each person on whom the described property is assessed in the last equalized assessment roll available or the date the City Council adopted the resolution.

(g) At the time stated in the notices, the City Council shall hear and consider all objections to the proposed removal of the on-premises advertising display. It may continue the hearing from time to time. By motion or resolution at the conclusion of the hearing, the City Council shall allow or overrule any objections. At that time, the City Council acquires jurisdiction to proceed and perform the work of removal. The decision of the City Council is final. If objections have not been made or after the City Council has disposed of those made, it shall

Sections 4.07.070, 4.07.080, or 4.07.090 and an application fee which shall be established from time to time by the City Council of the Town of Colma by resolution.

(b) The application shall be reviewed by the City Planner for completeness. The City Planner shall notify the City Clerk's office when the application is complete.

(c) Notice of the complete application shall be posted on the three official bulletin boards of the Town by the City Clerk for not less than ten (10) days nor more than forty (40) days prior to the City Planner's decision to approve or deny the application. The notice shall describe the application and give the date and time at which the matter will be decided by the City Planner.

(d) The following findings shall be made by the City Planner prior to the issuance of a sign permit.

(1) The sign is consistent with the provisions of the General Plan of the Town of Colma.

(2) The granting of the sign permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties or improvements in the vicinity.

(3) Existing property uses, large or small, will not be detrimentally affected by the proposed sign.

(4) The granting of the sign permit will not constitute a grant of special privilege inconsistent with the limitations imposed by this subchapter on the existing use of properties, large or small, within the Town of Colma.

(5) The sign will not constitute a nuisance as to neighboring persons or properties.

(e) The City Planner shall condition any sign permit for pole signs and roof signs, and may condition any sign permit for other signs upon the applicant's agreement to remove the sign at applicant's cost upon expiration of the sign permit or any extension thereof. In granting a sign permit, the City Planner may also impose such conditions as are deemed necessary and desirable to protect the public health, safety and welfare in accordance with the purposes and intent of the General Plan and this subchapter.

(f) A decision of the City Planner to grant or deny a Sign Permit may be appealed by any interested party to the city council in accordance with the procedures set forth in section 1.02.140 of the Colma Municipal Code.

(g) The City Planner shall also act to approve or deny signs in those cases where approval of signs by the City Council is required by condition of any Use Permit adopted prior to June 12, 1994.

public utility poles, wires and structures; traffic signs; public streets and sidewalks; and public parks.

- (2) The City Manager may designate public areas for non-commercial signs to be erected, installed or maintained, provided that the sign shall not exceed thirty-two square feet in area and shall be affixed to the ground.

(d) *Private Property:* A temporary non-commercial sign shall be not be erected, installed or maintained on private property, or on public property lawfully occupied by a private user, except in accordance with the following standards:

- (1) Permission to erect, install or maintain a temporary non-commercial sign shall first have been obtained from the owner, owner's representative, lessee or tenant of said property;
- (2) A temporary non-commercial sign shall not be erected, installed or maintained on the roof of a building;
- (3) A temporary non-commercial sign placed in residential zoning districts shall be no larger than four square feet; and
- (4) A temporary non-commercial sign placed in zoning districts other than residential shall be no larger than eight square feet.

(e) *Nuisance.* Any temporary non-commercial sign that is in violation of this section shall be deemed a public nuisance, and the Code Enforcement Officer may order the owner of the property, candidate, candidate's committee, or ballot measure committee to remove the sign and abate the nuisance. The City shall also have the authority to remove said sign in accordance with this section.

(f) *Removal of Temporary Non-commercial Signs Prior to Campaign.*

- (1) A temporary non-commercial sign that is in violation of this section, is located on private property and has not been removed by the owner of the property, candidate, candidate's committee or ballot measure committee after such persons have been provided with written notification to remove such sign, the reasons for the requested removal and a reasonable opportunity to remove the sign, may be removed by the City.
- (2) A temporary non-commercial sign that is posted on public property or in the public right-of-way in violation of this section may be removed summarily by the City at any time.

(g) *Removal of Temporary Non-commercial Signs After Campaign.*

- (3) Any person claiming a sign so removed by the City may have the sign released upon the payment of any fees incurred for removal of such sign. Signs not picked-up within fifteen (15) days of notification shall be destroyed and the responsible owner of the property, candidate, candidate's committee or ballot measure committee shall be billed for the actual costs of the removal. The City may recoup such costs by any reasonable means available.

(i) *Appeal Procedures.*

- (1) Any person aggrieved by any action of the City, may appeal such action, in writing, to the City Council within five (5) days of any written notification by the City of the impending removal of a sign or summary removal. The appeal shall be submitted to the City Clerk and shall state the reasons for the requested appeal.
- (2) Upon receipt of an appeal, the City Clerk shall schedule the matter for hearing at the next available City Council hearing for which a quorum is present. The City Clerk shall provide the appellant with written notice concerning the hearing date and time. The City Council shall determine the appeal at a hearing held on the appointed date and time. The decision of the City Council on the matter shall be final unless appealed to a court of competent jurisdiction. Any such appeal shall be processed by the City in accordance with California Code of Civil Procedure §1094.8, or its successor statute or regulation.

[History: ORD. 649, 7/12/06, ORD. 651, 9/26/06]